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Attorneys for Defendants,  
P.E. RUBALOFF CO., INC.,  
KAREN RUBALOFF, AND PHILLIP RUBALOFF

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

CONOPCO, INC. d/b/a UNILEVER,

Plaintiff,

vs.

P.E. RUBALOFF CO., INC.,  
KAREN RUBALOFF, AND  
PHILLIP RUBALOFF,

Defendants.

Case No. 2:12-CV-10591-JAK-JCx

**ANSWER TO AMENDED  
COMPLAINT**

Defendants, by their attorneys, respond to allegations contained in the Amended Complaint as follows:

1. Paragraph 1 of the Amended Complaint does not contain factual allegations which require response. To the extent that a response is deemed to be required, Defendants deny the factual allegations contained in paragraph 1 of the Amended Complaint.

2. As understood, Defendants admit the allegations contained in Paragraph 2 of the Amended Complaint.

3. Denied.

4. Defendants deny the allegations contained in the first two sentences

1 of paragraph 4, of the Amended Complaint.

2 5. Denied.

3 6. Denied.

4 7. As understood, Defendants admit the allegations contained in  
5 Paragraph 7 of the Amended Complaint.

6 8. Admitted.

7 9. Admitted.

8 10. Admitted.

9 11. As understood, Defendants deny the allegations contained in the first  
10 sentence in Paragraph 11 of the Amended Complaint.

11 12. Admitted.

12 13. Defendants are without knowledge or information as to the  
13 allegations contained in Paragraph 13 of the Amended Complaint and therefore  
14 deny same.

15 14. Defendants are without knowledge or information as to the  
16 allegations contained in Paragraph 14 of the Amended Complaint and therefore  
17 deny same.

18 15. Defendants are without knowledge or information as to the  
19 allegations contained in Paragraph 15 of the Amended Complaint and therefore  
20 deny same.

21 16. Defendants are without knowledge or information as to the  
22 allegations contained in Paragraph 16 of the Amended Complaint and therefore  
23 deny same.

24 17. Admitted.

25 18. Admitted.

26 19. Admitted.

27 20. Admitted.

28 21. Defendants are without knowledge or information as to the

1 allegations contained in Paragraph 21 of the Amended Complaint and therefore  
2 deny same.

3 22. Defendants are without knowledge or information as to the  
4 allegations contained in Paragraph 22 of the Amended Complaint and therefore  
5 deny same.

6 23. Admitted.

7 24. Admitted.

8 25. Admitted.

9 26. Defendants are without knowledge or information as to the  
10 allegations contained in Paragraph 26 of the Amended Complaint and therefore  
11 deny same.

12 27. Defendants are without knowledge or information as to the  
13 allegations contained in Paragraph 27 of the Amended Complaint and therefore  
14 deny same.

15 28. Defendants are without knowledge or information as to the  
16 allegations contained in Paragraph 28 of the Amended Complaint and therefore  
17 deny same.

18 29. As understood, Defendants deny the allegations contained in  
19 Paragraph 29 of the Amended Complaint.

20 30. As understood, Defendants deny the allegations contained in  
21 Paragraph 30 of the Amended Complaint.

22 31. Defendants deny the allegations contained in the second sentence of  
23 Paragraph 31 of the Amended Complaint.

24 32. Admitted.

25 33. Defendants deny the allegations contained in Paragraph 33 of the  
26 Amended Complaint.

27 34. Defendants deny the allegations contained in Paragraph 34 of the  
28 Amended Complaint.

1           35. Defendants deny the allegations contained in Paragraph 35 of the  
2 Amended Complaint.

3           36. Defendants deny the allegations contained in Paragraph 36 of the  
4 Amended Complaint.

5           37. Defendants deny the allegations contained in Paragraph 37 of the  
6 Amended Complaint.

7           38. Defendants deny the allegations contained in Paragraph 38 of the  
8 Amended Complaint.

9           39. Defendants deny the allegations contained in Paragraph 39 of the  
10 Amended Complaint.

11           40. Defendants are without knowledge or information as to the  
12 allegations contained in Paragraph 40 of the Amended Complaint and therefore  
13 deny same.

14           41. Defendants are without knowledge or information as to the  
15 allegations contained in Paragraph 41 of the Amended Complaint and therefore  
16 deny same.

17           42. Defendants are without knowledge or information as to the  
18 allegations contained in Paragraph 42 of the Amended Complaint and therefore  
19 deny same.

20           43. Defendants are without knowledge or information as to the  
21 allegations contained in Paragraph 43 of the Amended Complaint and therefore  
22 deny same.

23           44. Defendants are without knowledge or information as to the  
24 allegations contained in Paragraph 44 of the Amended Complaint and therefore  
25 deny same.

26           45. Denied.

27           46. Denied.

28           47. Denied.

1           48. Defendants are without knowledge or information as to the  
2 allegations contained in Paragraph 48 of the Amended Complaint and therefore  
3 deny same.

4           49. Denied.

5           50. Denied.

6           51. Denied.

7           52. Denied.

8           53. Denied.

9           54. Denied.

10          55. Denied.

11          56. Denied.

12          57. Denied.

13          58. Denied.

14          59. Defendants repeat their responses to Paragraphs 1 through 58 above.

15          60. Denied.

16          61. Denied.

17          62. Denied.

18          63. Denied.

19          64. Denied.

20          65. Denied.

21          66. Defendants repeat their responses to Paragraphs 1 through 65 above.

22          67. Denied.

23          68. Denied.

24          69. Denied.

25          70. Denied.

26          71. Denied.

27          72. Denied.

28          73. Defendants repeat their responses to Paragraphs 1 through 72 above.

- 1 74. Denied.
- 2 75. Denied.
- 3 76. Denied.
- 4 77. Denied.
- 5 78. Denied.
- 6 79. Denied.
- 7 80. Defendants repeat their responses to Paragraphs 1 through 79 above.
- 8 81. Denied.
- 9 82. Denied.
- 10 83. Denied.
- 11 84. Denied.
- 12 85. Denied.
- 13 86. Defendants repeat their responses to Paragraphs 1 through 85 above.
- 14 87. Denied.
- 15 88. Denied.
- 16 89. Denied.
- 17 90. Denied.
- 18 91. Denied.
- 19 92. Defendants repeat their responses to Paragraphs 1 through 91 above.
- 20 93. Denied.
- 21 94. Denied.
- 22 95. Denied.
- 23 96. Denied.
- 24 97. Denied.
- 25 98. Defendants repeat their responses to Paragraphs 1 through 97 above.
- 26 99. Defendants are without knowledge or information as to the
- 27 allegations contained in Paragraph 99 of the Amended Complaint and therefore
- 28 deny same.

1           100. Denied.

2           101. Defendants are without knowledge or information as to the  
3 allegations contained in Paragraph 102 of the Amended Complaint and therefore  
4 deny same.

5           102. Denied.

6           103. Denied.

7           104. Denied.

8           105. Denied.

9           106. Defendants repeat their responses to Paragraphs 1 through 105  
10 above.

11           107. Defendants are without knowledge or information as to the  
12 allegations contained in Paragraph 107 of the Amended Complaint and therefore  
13 deny same.

14           108. Denied.

15           109. Denied.

16           110. Denied.

17           111. Denied.

18           112. Denied.

19           113. Defendants repeat their responses to Paragraphs 1 through 112  
20 above.

21           114. Defendants are without knowledge or information as to the  
22 allegations contained in Paragraph 114 of the Amended Complaint and therefore  
23 deny same.

24           115. Denied.

25           116. Denied.

26           117. Denied.

27           118. Denied.

28           119. Denied.

1 120. Defendants repeat their responses to Paragraphs 1 through 119  
2 above.

3 121. Denied.

4 122. Denied.

5 123. Denied.

6 124. Denied.

7 125. Denied.

8 126. Defendants repeat their responses to Paragraphs 1 through 125  
9 above.

10 127. Denied.

11 128. Denied.

12 129. Denied.

13 130. Denied.

14 131. Denied.

15 132. Defendants repeat their responses to Paragraphs 1 through 131  
16 above.

17 133. Denied.

18 134. Denied.

19 135. Denied.

20 136. Denied.

21 137. Denied.

22 138. Defendants repeat their responses to Paragraphs 1 through 137  
23 above.

24 139. Denied.

25 140. Denied.

26 141. Denied.

27 142. Denied.

28 143. Defendants repeat their responses to Paragraphs 1 through 142



1 above.

2 144. Denied.

3 145. Denied.

4 146. Denied.

5 147. Denied.

6 148. Defendants repeat their responses to Paragraphs 1 through 147

7 above.

8 149. Denied.

9 150. Denied.

10 151. Denied.

11 152. Denied.

12 153. Defendants repeat their responses to Paragraphs 1 through 152

13 above.

14 154. Denied.

15 155. Denied.

16 156. Denied.

17 157. Defendants repeat their responses to Paragraphs 1 through 156

18 above.

19 158. Denied.

20 159. Denied.

21 160. Denied.

22 161. Defendants repeat their responses to Paragraphs 1 through 160

23 above.

24 162. Denied.

25 163. Denied.

26 164. Denied.

27

28

**AFFIRMATIVE DEFENSES**

**First Affirmative Defense**

Plaintiff's claims fail to state a cause of action upon which relief may be granted.

**Second Affirmative Defense**

Plaintiff's claims are barred under the doctrine of estoppel.

**Third Affirmative Defense**

Plaintiff's claims are barred under the doctrines of laches and acquiescence.

**Fourth Affirmative Defense**

Plaintiff's claims are barred under the doctrine of waiver.

WHEREFORE, Defendants pray that Plaintiff's claims be dismissed in their entirety and that Defendants recover their costs, including attorneys' fees, incurred in defense of this action.

DATED: August 9, 2013

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By /s/ Edward R. Schwartz  
Edward R. Schwartz

Attorneys for Defendants,  
P.E. RUBALOFF CO., INC., KAREN  
RUBALOFF, AND PHILLIP RUBALOFF

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